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ATTORNEYS FOR PLAINTIFF
DONALD J. RODEN

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

DONALD J. RODEN,)	No. CV-07-66-BLG-RFC-CSO
)	
Plaintiff,)	
)	PLAINTIFF'S NOTICE TO
vs.)	COURT OF SETTLEMENT
)	OF CASE
SMITH & WESSON HOLDING)	
CORPORATION, a Nevada)	
Corporation,)	
)	
Defendant.)	

Plaintiff above-named, by and through his counsel of record, hereby provides notice to the Court that the parties involved in this matter have reached a settlement. It is believed that based upon the time of the year and certain issues related to the settlement terms that the finalized settlement will not take place until after the first of the year. As a consequence, it

is believed that the settlement will be accomplished on or before January 31, 2009 and by that date, the parties anticipate being able to provide the Court with the proper settlement documentation including the Stipulation and Proposed Order for Dismissal of the pending litigation with prejudice with each party bearing their own costs and attorney fees.

DATED this 15th day of December, 2008.

STACEY & FUNYAK

By: /s/ Calvin J. Stacey
Calvin J. Stacey
Stacey & Funyak
Attorney for Plaintiff Donald J. Roden

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of September, 2008, a true and correct copy of the foregoing *Plaintiff's Notice to Court of Settlement of Case* was served upon the following person(s) by the following means:

<u>1,2</u>	CM/ECF
<u> </u>	Hand Delivery
<u> </u>	Mail
<u> </u>	Overnight Delivery
<u> </u>	Fax
<u> </u>	E-Mail

1. Clerk of District Court

2. Jason S. Ritchie
Jeanne M. Bender
Holland & Hart, LLP
401 North 31st Street
P.O. Box 639
Billings, Montana 59103-0639

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By: /s/ Calvin J. Stacey
Calvin J. Stacey
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Attorney for Plaintiff Donald J. Roden